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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, SEPTEMBER 8, 1999

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

v.

CASE NO. PUE990375

NOCUTS, INC.,

Defendant

ORDER OF SETTLEMENT

Pursuant to § 56-265.30 of the Code of Virginia, the Virginia State Corporation Commission ("Commission") is charged with enforcing the provisions of the Underground Utility Damage Prevention Act, §§ 56-265.14 et seq. of the Code of Virginia. The Commission's Division of Energy Regulation ("Division"), after having conducted an investigation of this matter, alleges that:

- (1) On or about September 1, 1998, Leo Construction

 Corporation damaged a one hundred pair telephone main line

 operated by GTE South Incorporated located at or near 8196 Keara

 Court, Manassas, Virginia (Report No. 98-1530), while excavating;
- (2) On or about September 4, 1998, Northern Pipeline
 Construction Co. damaged a fifty pair telephone line operated by
 GTE South Incorporated located at or near the intersection of
 Moon Way and Christi Drive, Woodbridge, Virginia (Report No. 981700), while excavating;
- (3) On or about September 9, 1998, Northern Virginia

 Electric Cooperative damaged a one inch plastic gas service line

operated by Columbia Gas of Virginia, Inc., located at or near 8326 Highland Street, Manassas, Virginia (Report No. 98-2657), while excavating;

- (4) On or about September 9, 1998, Mid-Atlantic

 Pipeliners, Inc. damaged a twenty-five pair telephone line

 operated by GTE South Incorporated located at or near

 1168 Sandalwood Lane, Woodbridge, Virginia (Report No. 98-1774),

 while excavating;
- (5) On or about September 22, 1998, the City of Waynesboro damaged a two inch plastic gas main line operated by Columbia Gas of Virginia, Inc., located at or near 855 Woodrow Avenue, Waynesboro, Virginia (Report No. 98-2590), while excavating;
- (6) On or about September 22, 1998, Atlantic Cable & Trench, Inc., damaged a two inch plastic gas main line operated by Columbia Gas of Virginia, Inc., located at or near 3004 Betram Street, Chesapeake, Virginia (Report No. 98-2703), while excavating;
- (7) On or about September 23, 1998, Mastec, Inc. damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 196 Archer, Colonial Heights, Virginia (Report No. 99-0162), while excavating;
- (8) On or about September 24, 1998, General Excavating damaged a one inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 250 West Shirley, Warrenton, Virginia (Report No. 99-0203), while excavating;

- (9) On or about September 30, 1998, Capco Construction

 Corporation damaged a twenty-five pair telephone line operated by

 GTE South Incorporated located at or near Lot #5, Criggers Lane,

 Manassas, Virginia (Report No. 98-2037), while excavating;
- (10) On or about October 2, 1998, Jones Utility

 Construction Co. damaged a five pair telephone service line

 operated by GTE South Incorporated located at or near 16 Scotland

 Circle, Stafford, Virginia (Report No. 98-2031), while

 excavating;
- (11) On or about October 12, 1998, Rockingham Construction Co., Inc., damaged a one hundred pair telephone service line operated by GTE South Incorporated located at or near the corner of Colby Drive and Paxton Street, Woodbridge, Virginia (Report No. 98-2177), while excavating;
- (12) On or about October 14, 1998, S and N Communications, Inc., damaged a twenty-eight strand fiber telephone line operated by GTE South Incorporated located at or near 13114 Dumfries Road, Manassas, Virginia (Report No. 98-2402), while excavating;
- (13) On or about October 20, 1998, H. Beard Plumbing and Heating, Inc., damaged a fifty pair telephone service line operated by GTE South Incorporated located at or near 127 Washington Street, Woodbridge, Virginia (Report No. 98-2423), while excavating;
- (14) On or about October 20, 1998, Capco Construction Corporation damaged a twenty-five pair telephone service line operated by GTE South Incorporated located at or near Lot 58,

Pixie Way, Woodbridge, Virginia (Report No. 98-2424), while excavating;

- (15) On or about October 21, 1998, J. L. Minter Electrical Contractor, Inc., damaged a one inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 8301 Midlothian Turnpike, Midlothian, Virginia (Report No. 99-0200), while excavating;
- (16) On or about October 22, 1998, the City of Manassas damaged a one inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 8905 Tudor Lane, Manassas, Virginia (Report No. 99-0275), while excavating;
- (17) On or about October 29, 1998, The Brothers Signal Company, Inc., damaged a one inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 8390 Centreville Road, Manassas, Virginia (Report No. 99-0304), while excavating;
- (18) On or about November 10, 1998, Steve Mitchell, homeowner, damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 1371 Dominion Ridge Lane, Herndon, Virginia (Report No. 98-2721), while excavating;
- (19) On or about November 24, 1998, Littleton & Associates, Inc., damaged a one inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 821 Oneida Trail, Covington, Virginia (Report No. 99-0076), while excavating;

- (20) On or about December 2, 1998, Central Builders, Inc., damaged a twenty-five pair main telephone line operated by GTE South Incorporated located at or near 253 Grigg Avenue, Jarratt, Virginia (Report No. 98-2664), while excavating;
- (21) On or about December 7, 1998, Fowler Construction

 Co., Inc., damaged a one inch plastic gas service line operated

 by Columbia Gas of Virginia, Inc., located at or near

 13910 Hunting Run Drive, Fredericksburg, Virginia (Report No. 99
 0169), while excavating;
- (22) On or about December 7, 1998, Henry S. Branscome, Inc., damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 3220 Cedar Lane, Portsmouth, Virginia (Report No. 99-0316), while excavating;
- (23) On or about December 16, 1998, Myers Cable, Inc., damaged a main telephone line operated by GTE South Incorporated located at or near 13800 Perimeter Drive, Fredericksburg, Virginia (Report No. 99-0064), while excavating;
- (24) On or about December 17, 1998, Atlas Plumbing & Mechanical, Inc., damaged a one-hundred pair telephone service line operated by GTE South Incorporated located at or near 14928 Grassy Knoll, Woodbridge, Virginia (Report No. 99-0512), while excavating;
- (25) On or about December 29, 1998, Myers Cable, Inc., damaged a twenty-five pair main telephone line operated by GTE South Incorporated located at or near Perimeter Drive and Federal

Forest Drive, Fredericksburg, Virginia (Report No. 99-0065), while excavating;

- (26) On or about January 19, 1999, Suburban Grading and Utilities, Inc., damaged a three-quarter inch steel gas service line operated by Virginia Natural Gas, Inc., located at or near 1576 Kerry Avenue, Norfolk, Virginia (Report No. 99-0357), while excavating;
- (27) On or about January 19, 1999, T. A. Sheets Mechanical Contractor, Inc., damaged a one-half inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 1527 Shelton Avenue, Norfolk, Virginia (Report No. 99-0368), while excavating;
- (28) On or about January 19, 1999, Virginia Electric and Power Company damaged a three-quarter inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 2003 Meade Parkway, Suffolk, Virginia (Report No. 99-0375), while excavating;
- (29) On or about January 22, 1999, William B. Hopke Co.

 Inc. damaged a nine-hundred pair telephone service line operated
 by GTE South Incorporated located at or near 14935 Jefferson

 Davis Highway, Woodbridge, Virginia (Report No. 99-0507), while
 excavating;
- (30) On or about January 25, 1999, Mastec, Inc., damaged a one-half inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 1512 East Pembroke Avenue, Hampton, Virginia (Report No. 99-0404), while excavating;

- (31) On or about January 28, 1999, the Town of Pulaski damaged a one-half inch plastic gas service line operated by United Cities Gas Company located at or near 821 Peppers Ferry Road, Pulaski, Virginia (Report No. 99-0356), while excavating;
- (32) On or about January 28, 1999, Virginia Electric and Power Company damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 201 Royal Dornoch, Smithfield, Virginia (Report No. 99-0377), while excavating;
- (33) On or about February 1, 1999, Suburban Grading & Utilities, Inc., damaged a five-eighths inch steel gas service line operated by Virginia Natural Gas, Inc., located at or near 1536 Kerrey Avenue, Norfolk, Virginia (Report No. 99-0822), while excavating;
- (34) On or about February 2, 1999, W. E. Curling, Inc., damaged a one hundred pair telephone service line operated by GTE South Incorporated located at or near 403 Muirfield Drive, Smithfield, Virginia (Report No. 99-0257), while excavating;
- (35) On or about February 4, 1999, Atlantic Cable Service, Inc., damaged a one-half inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 87 Tupelo Circle, Hampton, Virginia (Report No. 99-421), while excavating;
- (36) On or about February 5, 1999, Rockingham Construction Co., Inc., damaged a one-hundred pair telephone line operated by GTE South Incorporated located at or near Grandview Court, Lorton, Virginia (Report No. 99-0501), while excavating;

- (37) On or about February 8, 1999, Stone Ridge Builders damaged a fifty pair telephone line operated by GTE South Incorporated located at or near Lots 87-90, Seaford Court, Woodbridge, Virginia (Report No. 99-0502), while excavating;
- (38) On or about February 9, 1999, T. A. Sheets Mechanical Contractor, Inc., damaged a one-half inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 1543 Shelton Avenue, Norfolk, Virginia (Report No. 99-0478), while excavating;
- (39) On or about February 10, 1999, the City of Norfolk damaged a three-quarter inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 2212 Lafayette Boulevard, Norfolk, Virginia (Report No. 99-0471), while excavating;
- (40) On or about February 10, 1999, Stafford County damaged a two hundred pair main telephone line operated by GTE South Incorporated located at or near 77 Barretts Heights Road, Stafford, Virginia (Report No. 99-0586), while excavating;
- (41) On or about February 11, 1999, Northern Virginia

 Electric Cooperative damaged a twenty-five pair telephone line
 operated by GTE South Incorporated located at or near 11211 Lake
 Jackson Drive, Manassas, Virginia (Report No. 99-0384), while
 excavating;
- (42) On or about February 11, 1999, Battlefield Utility

 Contractors, Incorporated damaged a one-hundred pair telephone

 line operated by GTE South Incorporated located at or near Corner

of Hastings and Racquet Circle, Manassas, Virginia (Report No. 99-0386), while excavating;

- (43) On or about February 15, 1999, RTWC, Inc., damaged a one inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 800 Southlake Boulevard, Richmond, Virginia (Report No. 99-0581), while excavating;
- (44) On or about February 16, 1999, Cascade Contracting, Inc., damaged a one and one-quarter inch plastic gas main line operated by Virginia Natural Gas, Inc., located at or near 642 Tappanzee Court, Virginia Beach, Virginia (Report No. 99-0525), while excavating;
- (45) On or about February 17, 1999, Suburban Grading and Utilities, Inc., damaged a one inch steel gas service line operated by Virginia Natural Gas, Inc., located at or near 5153 South Cape Henry Avenue, Norfolk, Virginia (Report No. 99-0523), while excavating;
- (46) On or about February 17, 1999, Cascade Contracting, Inc., damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 948 Canal Drive, Chesapeake, Virginia (Report No. 99-0631), while excavating;
- (47) On or about February 19, 1999, WCC Cable, Inc., damaged a twenty-five pair telephone service line operated by GTE South Incorporated located at or near 8101 Lee Jackson Circle, Fredericksburg, Virginia (Report No. 99-0513), while excavating;
- (48) On or about February 19, 1999, Augusta County damaged a one and one-quarter inch steel gas main line operated by

Columbia Gas of Virginia, Inc. located at or near Antrim Road, State Route 1313, Fishersville, Virginia (Report No. 99-0582), while excavating;

- (49) On or about February 22, 1999, Vico Construction

 Corporation damaged a two inch plastic gas service line operated

 by Virginia Natural Gas, Inc., located at or near Orcutt Avenue

 and 22nd Street, Newport News, Virginia (Report No. 99-0540),

 while excavating;
- (50) On or about February 24, 1999, T. A. Sheets

 Mechanical Contractor, Inc., damaged a one-half inch plastic gas
 service line operated by Virginia Natural Gas, Inc., located at
 or near 5153 South Cape Henry Avenue, Norfolk, Virginia (Report
 No. 99-0532), while excavating;
- (51) On or about February 25, 1999, Peters & White damaged a three-quarter inch steel gas service line operated by Virginia Natural Gas, Inc., located at or near 1101 Majestic Avenue, Norfolk, Virginia (Report No. 99-0535), while excavating;
- (52) On or about February 26, 1999, Mastec, Inc., damaged a one-half inch plastic gas service line operated by Roanoke Gas Company located at or near 4385 Jonathan Road, Roanoke, Virginia (Report No. 99-0619), while excavating;
- (53) On or about February 26, 1999, C & S Cable Company damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 2549 Woodshire Circle, Chesapeake, Virginia (Report No. 99-0658), while excavating;

- (54) On or about March 1, 1999, William A. Hazel, Inc., damaged a twenty pair main telephone line operated by GTE South Incorporated located at or near 35 Perchwood Drive, Fredericksburg, Virginia (Report No. 99-0584), while excavating;
- (55) On or about March 3, 1999, McGuire Plumbing & Heating, Inc., damaged a one inch plastic gas service line operated by Roanoke Gas Company located at or near 4910 Hubert Road, N.W., Roanoke, Virginia (Report No. 99-0623), while excavating;
- (56) On or about March 4, 1999, Basic Construction Company damaged a one-half inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 8 Hunts Neck Road, Poquoson, Virginia (Report No. 99-0607), while excavating;
- (57) On or about March 4, 1999, Henry S. Branscome, Inc., damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 3612 Cedar Lane, Portsmouth, Virginia (Report No. 99-0618), while excavating;
- (58) On or about March 5, 1999, Shenandoah Tele-Services, Inc., damaged a one inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 38 Dirby Wayne, Fishersville, Virginia (Report No. 99-0630), while excavating;
- (59) On or about March 5, 1999, R & P Lucas Underground
 Utilities, Inc., damaged a one-half inch plastic gas service line
 operated by Columbia Gas of Virginia, Inc., located at or near

- 204 Woodstock Street, Portsmouth, Virginia (Report No. 99-0645), while excavating;
- (60) On or about March 8, 1999, Northern Virginia Electric Cooperative damaged a main telephone line operated by GTE South Incorporated located at or near 26046 Glascow Drive, South Riding, Virginia (Report No. 99-0516), while excavating;
- (61) On or about March 8, 1999, Garrity Plumbing Company damaged a one inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 9251 Alpha Court, Manassas, Virginia (Report No. 99-0629), while excavating;
- (62) On or about March 8, 1999, Manning Plumbing damaged a fifty pair telephone service line operated by GTE South Incorporated located at or near 712 Poplar Forest Court, Chesapeake, Virginia (Report No. 99-0660), while excavating;
- (63) On or about March 11, 1999, GTE South Incorporated damaged a two inch plastic gas main line operated by Virginia Natural Gas, Inc., located at or near Plantation Woods Way, Chesapeake, Virginia (Report No. 99-0679), while excavating;
- (64) On or about March 12, 1999, Hubbard Telephone

 Contractors, Inc., damaged a one-half inch plastic gas service

 line operated by Columbia Gas of Virginia, Inc., located at or

 near 211 Moonfield Drive, Smithfield, Virginia (Report No. 99
 0834), while excavating;
- (65) On or about March 16, 1999, Special Plumbing damaged a two inch plastic gas main line operated by Roanoke Gas Company located at or near 739 Townside Road, S.W., Roanoke, Virginia (Report No. 99-0724), while excavating;

- (66) On or about March 16, 1999, the City of Lynchburg damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 2208 Fairview Avenue, Lynchburg, Virginia (Report No. 99-0739), while excavating;
- (67) On or about March 16, 1999, Virginia Electric and Power Company damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 5805 Castle Court, Fredericksburg, Virginia (Report No. 99-0792), while excavating;
- (68) On or about March 17, 1999, Special Plumbing damaged a one-half inch plastic gas service line operated by Roanoke Gas Company located at or near 2621 Lee Highway, South, Daleville, Virginia (Report No. 99-0726), while excavating;
- (69) On or about March 18, 1999, Virginia Electric and Power Company damaged a three-quarter inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 1709 Buckley Arch, Virginia Beach, Virginia (Report No. 99-0767), while excavating;
- (70) On or about March 19, 1999, Baker Installations damaged a three-quarter inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 5391 Weblin Farm Road, Virginia Beach, Virginia (Report No. 99-0709), while excavating;
- (71) On or about March 19, 1999, Vico Construction

 Corporation damaged a one and one-quarter inch plastic gas

 service line operated by Virginia Natural Gas, Inc., located at

or near 2511 Orcutt Avenue, Newport News, Virginia (Report No. 99-0759), while excavating;

- (72) On or about March 19, 1999, Hubbard Brothers, Inc., damaged a one-half inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 316 Marshall Street, Hampton, Virginia (Report No. 99-0769), while excavating;
- (73) On or about March 19, 1999, Fowler Construction Co., Inc., damaged a two inch plastic gas main line operated by Columbia Gas of Virginia, Inc., located at or near 49 Lovett Drive, Fredericksburg, Virginia (Report No. 99-0775), while excavating;
- (74) On or about March 20, 1999, G. H. Sullivan Excavating damaged a fifty pair main telephone line operated by GTE South Incorporated located at or near 50 Live Oak Lane, Stafford, Virginia (Report No. 99-0720), while excavating;
- (75) On or about March 22, 1999, Precon Construction

 Company damaged a three-quarter inch plastic gas service line
 operated by Virginia Natural Gas, Inc., located at or near

 322 66th Street, Newport News, Virginia (Report No. 99-0754),
 while excavating;
- (76) On or about March 23, 1999, the City of Radford damaged a one-half inch plastic gas service line operated by United Cities Gas Company located at or near 1020 Stockton Street, Radford, Virginia (Report No. 99-0723), while excavating;
- (77) On or about March 23, 1999, the City of Newport News damaged a three-quarter inch plastic gas service line operated by

Virginia Natural Gas, Inc., located at or near 301 Buxton Avenue, Newport News, Virginia (Report No. 99-0755), while excavating;

- (78) On or about March 24, 1999, the City of Virginia

 Beach damaged a two inch plastic gas main line operated by

 Virginia Natural Gas, Inc., located at or near 580 Kempsville

 Road, Virginia Beach, Virginia (Report No. 99-0762), while

 excavating;
- (79) On or about March 24, 1999, Baker Installations of Virginia, Inc., damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 2616 Pitchback Lane, Chesapeake, Virginia (Report No. 99-0776), while excavating;
- (80) On or about March 24, 1999, Rockingham Construction

 Co., Inc., damaged a six inch plastic gas main line operated by

 Columbia Gas of Virginia, Inc., located at or near 13341 Woodland

 Park Drive, Herndon, Virginia (Report No. 99-0830), while

 excavating;
- (81) On or about March 25, 1999, M. C. Inc. damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 11211 Surry Woods Court, Fredericksburg, Virginia (Report No. 99-0788), while excavating;
- (82) On or about March 26, 1999, Fowler Construction Co., Inc., damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 10714 Wellington Street, Fredericksburg, Virginia (Report No. 99-0781), while excavating;

- (83) On or about March 29, 1999, Mike Rob Cable

 Contractors damaged a one-half inch plastic gas service line

 operated by Virginia Natural Gas, Inc., located at or near

 1800 Mountainside Avenue, Suffolk, Virginia (Report No. 99-0752),

 while excavating;
- (84) On or about March 30, 1999, Roanoke County damaged a one-half inch steel gas service line operated by Roanoke Gas Company located at or near 2930 Penn Forest Boulevard, S.W., Roanoke, Virginia (Report No. 99-0870), while excavating;
- (85) On or about March 31, 1999, Battlefield Utility
 Contractors, Incorporated damaged a one-hundred pair telephone
 service line operated by GTE South Incorporated located at or
 near Hastings Drive and Shannon Lane, Manassas, Virginia
 (Report No. 99-0671), while excavating;
- (86) On or about March 31, 1999, Atlantic Cable & Trench, Inc., damaged a three-quarter inch steel gas service line operated by Virginia Natural Gas, Inc., located at or near 1901 Atlantic Avenue, Virginia Beach, Virginia (Report No. 99-0846), while excavating;
- (87) On or about April 2, 1999, B & H Sales Corporation damaged a two inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 1326 Johnstons Road, Norfolk, Virginia (Report No. 99-0844), while excavating;
- (88) On or about April 6, 1999, Hubbard Telephone

 Contractors, Inc., damaged a one-half inch plastic gas service

 line operated by Virginia Natural Gas, Inc., located at or near

- 833 Quesnel Road, Virginia Beach, Virginia (Report No. 99-0847), while excavating;
- (89) On or about April 6, 1999, Atlantic Cable & Trench, Inc., damaged a three-quarter inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 908 Poquoson Circle, Chesapeake, Virginia (Report No. 99-0852), while excavating;
- (90) On or about April 7, 1999, Roanoke County damaged a two inch plastic gas service line operated by Roanoke Gas Company located at or near Route 630, Fincastle, Virginia (Report No. 99-0867), while excavating;
- (91) On or about April 7, 1999, Kennedy Electric damaged a one inch telephone service line operated by Sprint Communications of Virginia, Inc., located at or near 1857 Clay Hill Road, Crozet, Virginia (Report No. 99-0871), while excavating;
- (92) On or about April 7, 1999, Baker Installations of Virginia, Inc., damaged a three-quarter inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 1981 Winterhaven Drive, Virginia Beach, Virginia (Report No. 99-0908), while excavating;
- (93) On or about April 11, 1999, McGuire Plumbing & Heating, Inc., damaged a one and one-quarter inch plastic gas service line operated by Roanoke Gas Company located at or near 2520 Avenel Road, S.W., Roanoke, Virginia (Report No. 99-0869), while excavating;
- (94) On or about April 13, 1999, C. J. Hughes Construction Company, Inc., damaged a one inch plastic gas service line

operated by Columbia Gas of Virginia, Inc., located at or near 551 Borden Road, Lexington, Virginia (Report No. 99-0957), while excavating;

- (95) On or about April 14, 1999, the City of Virginia

 Beach damaged a three-quarter inch plastic gas service line

 operated by Virginia Natural Gas, Inc., located at or near

 112 Indian Avenue, Virginia Beach, Virginia (Report No. 99-0928),

 while excavating;
- (96) On or about April 16, 1999, the City of Portsmouth damaged a one-half inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 97 Cushing Street, Portsmouth, Virginia (Report No. 99-0953), while excavating;
- (97) On or about April 19, 1999, Cooper & Claiborne

 Construction, Inc., damaged a one-half inch plastic gas service

 line operated by Columbia Gas of Virginia, Inc., located at or

 near 2609 Oaklawn Boulevard, Hopewell, Virginia (Report No. 99
 0995), while excavating;
- (98) On or about April 20, 1999, C. J. Hughes Construction Company, Inc., damaged a one and one-quarter inch plastic gas service line operated by Columbia Gas of Virginia, Inc., located at or near 1003 North Alleghany Avenue, Covington, Virginia (Report No. 99-0992), while excavating;
- (99) On or about April 21, 1999, Kevcor Contracting Corp. damaged a one and one-quarter inch steel gas service line operated by Virginia Natural Gas, Inc., located at or near

- 3229 MacDonald Road, Virginia Beach, Virginia (Report No. 99-0937), while excavating;
- (100) On or about April 22, 1999, Dolan Enterprises, Inc., damaged a one-half inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 113 Swanson Court, Yorktown, Virginia (Report No. 99-0926), while excavating;
- (101) On or about April 22, 1999, Kevcor Contracting Corp. damaged a one-half inch plastic gas service line operated by Virginia Natural Gas, Inc., located at or near 817 Neptune Avenue, Virginia Beach, Virginia (Report No. 99-0940), while excavating;
- (102) On or about April 27, 1999, Maughan Construction,
 Inc., damaged a two inch plastic gas main line operated by
 Columbia Gas of Virginia, Inc., located at or near 12738 Oak Lake
 Court, Chesterfield, Virginia (Report No. 99-0873), while
 excavating;
- (103) For the incidents described in paragraphs (1) through (102) herein, NOCUTS, Inc. ("the Company"), failed to mark the approximate horizontal location of the lines on the ground to within two feet of either side of the underground utility lines, in violation of § 56-265.19 A of the Code of Virginia;
- (104) On or about December 18, 1998, McHale & McHale Landscape Design, Inc., notified the notification center of plans to excavate at or near 21309 Arrowhead Court, Ashburn, Virginia (Report No. 99-0743);
- (105) On or about March 10, 1999, KBR Corporation notified the notification center of plans to excavate at or near

- 14510 Jefferson Davis Highway, Woodbridge, Virginia (Report No. 99-0495);
- (106) On or about March 31, 1999, Julia Doll, homeowner, notified the notification center of plans to excavate at or near 1848 New Market Depot Road, New Market, Virginia (Report No. 99-0670);
- (107) On or about April 2, 1999, Priscilla Savchuc, homeowner, notified the notification center of plans to excavate at or near 298 Greenbank Road, Fredericksburg, Virginia (Report No. 99-0677);
- (108) On or about May 14, 1999, Darlene Dill, homeowner, notified the notification center of plans to excavate at or near 1654 Buckmountain Road, Bentonville, Virginia (Report No. 99-0990);
- (109) For the incidents described in paragraphs (104) through (108) herein, the Company failed to mark the approximate horizontal location of the lines on the ground to within two feet of either side of the underground utility lines no later than 48 hours after receiving notice from the notification center, in violation of § 56-265.19 A of the Code of Virginia;
- (110) On or about April 7, 1999, Blue Ridge Landscape and Design, Inc., notified the notification center of plans to excavate at or near 112 West King Street, Strasburg, Virginia (Report No. 99-0678);
- (111) The Company failed to report that the line was not in conflict, in violation of § 56-265.19 B of the Code of Virginia;

- (112) On or about September 9, 1998, Mid-Atlantic

 Pipeliners, Inc., damaged a twenty-five pair telephone line

 operated by GTE South Incorporated located at or near 5306 Jessup

 Lane, Lot 49, Woodbridge, Virginia (Report No. 98-1773), while

 excavating;
- (113) On or about April 15, 1999, Ideal Cable Construction notified the notification center of plans to excavate at or near Atlas Place, Manassas, Virginia (Report No. 99-0746); and
- (114) The Company failed to mark with proper color coding, in violation of § 56-265.21 of the Code of Virginia.

As evidenced in the attached Admission and Consent document, the Company neither admits nor denies these allegations, but admits the Commission's jurisdiction and authority to enter this Order. As an offer to settle all matters before the Commission arising from the Division's allegations made herein, the Company represents and undertakes that it will pay a civil penalty to the Commonwealth of Virginia in the amount of \$87,800 to be paid contemporaneously with the entry of this Order. This payment will be made by cashier's check or money order, payable to the Treasurer of Virginia and directed to the attention of the Director of the Division of Energy Regulation.

The Commission, being advised by the Staff and finding sufficient basis herein for the entry of this Order, hereby accepts this settlement. Accordingly,

IT IS ORDERED THAT:

- (1) Pursuant to the authority granted the Commission by § 12.1-15 of the Code of Virginia, the offer of settlement made by the Company be, and it hereby is, accepted.
- (2) The sum of \$87,800 tendered contemporaneously with the entry of this Order is accepted.
- (3) This case is dismissed and the papers herein be placed in the file for ended causes.

DISCLAIMER

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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

v.

CASE NO. PUE990375

NOCUTS, INC.,

Defendant

ADMISSION AND CONSENT

The Defendant, NOCUTS, Inc., admits the jurisdiction of this Commission as to the party and subject matter hereof and, without admitting or denying the allegations made herein by the Division of Energy Regulation, hereby consents to the form, substance, and entry of the foregoing Order of Settlement.

The Defendant further states that no offer, tender, threat, or promise of any kind whatsoever has been made by the Commission or by any member, officer, agent, or representative thereof in consideration of this Admission and Consent.

Date:		
	NOCUTS, Inc.	
	By:	
	T:+10.	